



Signed: September 09, 2010


ALAN JAROSLOVSKY
U.S. Bankruptcy Judge

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WELLS FARGO BANK, N.A., ALSO KNOWN AS WACHOVIA MORTGAGE,
A DIVISION OF WELLS FARGO BANK, N.A., AND FORMERLY KNOWN AS
WACHOVIA MORTGAGE, FSB, FORMERLY KNOWN AS WORLD SAVINGS
BANK, FSB, ITS ASSIGNS AND/OR SUCCESSORS IN INTEREST

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:
CHARLES TURNBULL,
CHRISTINE RENEE TURNBULL,

Debtors.

CASE NO.: 10-11432 AJ-7

CHAPTER: 7

R.S. NO.: EAT-964

ORDER GRANTING MOTION FOR RELIEF
FROM THE AUTOMATIC STAY

DATE: August 12, 2010

TIME: 9:00 a.m.

PLACE: U.S. Bankruptcy Court
99 South E Street
Santa Rosa, California

The motion of Secured Creditor, WELLS FARGO BANK, N.A., ALSO KNOWN AS
WACHOVIA MORTGAGE, A DIVISION OF WELLS FARGO BANK, N.A., AND FORMERLY
KNOWN AS WACHOVIA MORTGAGE, FSB, FORMERLY KNOWN AS WORLD SAVINGS
BANK, FSB ("Movant), ITS ASSIGNS AND/OR SUCCESSORS IN INTEREST, for relief from the
automatic stay came on regularly for hearing by the Court on the date, time and place set forth above, the

1 HONORABLE ALAN JAROSLOVSKY, United States Bankruptcy Judge presiding. All appearances
2 were notated on the record. For the reasons set forth on the record and in the minutes of the proceedings,
3 it is
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5 ORDERED, ADJUDGED AND DECREED that the automatic stay imposed by *11 U.S.C. §*
6 *362(a)* shall be and is hereby terminated, as to Movant, its successors and assigns, thereby permitting
7 enforcement of its contractual default remedies against the security described in that certain Deed of
8 Trust recorded on October 22, 2004 as Book No. 20041022 on Page 0001725 in the Office of the
9 County Recorder of Clark County, Nevada, including that certain real property commonly known as
10 **3125 North Buffalo Drive, Unit 1105, Las Vegas, Nevada 89128** and legally described as follows:
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12 PARCEL ONE (1): UNIT NO. 1105 IN BUILDING 38, AS SHOWN AND DESCRIBED IN
13 THE FINAL MAP OF MAR A LAGO 2 ("MAP") RECORDED ON FEBRUARY 16, 1994,
14 IN BOOK 60 OF PLATS, PAGE 45, IN THE OFFICE OF THE CLARK COUNTY
15 RECORDER.

16 PARCEL TWO (2): AN UNDIVIDED 1/12 FEE SIMPLE INTEREST AS TENANT IN
17 COMMON IN AND TO ALL THE REAL PROPERTY, INCLUDING WITHOUT
18 LIMITATION THE COMMON ELEMENT LYING WITHIN PHASE X DEFINED IN THE
19 DECLARATION REFERRED TO BELOW, IN COMMON LOT X AS SHOWN AND
20 DELINEATED ON THE MAP REFERRED TO ABOVE.

21 EXCEPTING THEREFROM ALL UNITS AS SHOWN ON THE MAP.

22 RESERVING THEREFROM THE BENEFIT OF GRANTOR, ITS SUCCESSORS IN
23 INTEREST, AND OTHERS, EASEMENTS FOR ACCESS, INGRESS, EGRESS,
24 ENCROACHMENT, SUPPORT, MAINTENANCE, DRAINAGE, USE, ENJOYMENT,
25 REPAIRS, AND OTHER PURPOSES, ALL AS DESCRIBED IN THE MASTER
26 DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND
27 RESERVATIONS OF EASEMENTS FOR DESERT SHORES RECORDED ON JUNE 1,
28 1988, IN BOOK 880601, AS DOCUMENT NO. 00011, AS AMENDED BY THE FIRST
AMENDMENT THERETO RECORDED ON NOVEMBER 3, 1988, IN BOOK 881103, AS
DOCUMENT NO. 00142, THE SECOND AMENDMENT THERETO RECORDED ON
SEPTEMBER 25, 1991, IN BOOK 910925, AS DOCUMENT NO. 01053, THE THIRD
AMENDMENT THERETO RECORDED ON SEPTEMBER 30, 1992, IN BOOK 920930,
AS DOCUMENT NO. 01206 AND THE FOURTH AMENDMENT THERETO
RECORDED JANUARY 19, 1195, IN BOOK 950119, AS DOCUMENT NO. 00990.
(COLLECTIVELY, THE "MASTER DECLARATION"), THE NOTICE OF
ANNEXATION OF TERRITORY AND SUPPLEMENTAL DECLARATION FOR

1 DESERT SHORES AND ESTABLISHMENT OF SUPPLEMENTAL DECLARATION
2 FOR DESERT SHORES AND ESTABLISHMENT OF SUPPLEMENTAL
3 DECLARATION FOR DESERT SHORES AND ESTABLISHMENT OF DELEGATE
4 DISTRICT (DELEGATE DISTRICT NO. 7) RECORDED ON AUGUST 31, 1988, IN
5 BOOK 880331, AS DOCUMENT NO. 00402, AS AMENDED BY THE FIRST
6 AMENDMENT THERETO RECORDED NOVEMBER 8, 1989, IN BOOK 891103, AS
7 DOCUMENT NO. 00539 (COLLECTIVELY, THE "NOTICE OF ANNEXATION"), AND
8 THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND
9 RESERVATIONS OF EASEMENTS FOR MAR-A-LAGO ("DECLARATION")
10 RECORDED ON MARCH 24, 1993, IN BOOK 930324, AS DOCUMENT NO. 00972, AND
11 RE-RECORDED MARCH 29, 1993, IN BOOK 930329, AS DOCUMENT NO. 01079, ALL
12 IN THE OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

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15 FURTHER RESERVING THEREFROM FOR THE BENEFIT OF THE OWNERS OF
16 CONDOMINIUMS IN THE MAR-A-LAGO CONDOMINIUM PROJECT EXCLUSIVE
17 EASEMENTS FOR USE FOR PATIO, BALCONY AND PARKING PURPOSES, OVER
18 AREAS DEFINED AS LIMITED COMMON ELEMENTS IN THE DECLARATION.

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21 PARCEL THREE (3): NON-EXCLUSIVE EASEMENT FOR ACCESS, INGRESS,
22 EGRESS, USE, ENJOYMENT, DRAINAGE, ENCROACHMENT, SUPPORT,
23 MAINTENANCE, REPAIRS, AND FOR OTHER PURPOSES, ALL AS DESCRIBED IN
24 THE MASTER DECLARATION, THE NOTICE OF ANNEXATION AND THE
25 DECLARATION.

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28 PARCEL FOUR (4): AN EXCLUSIVE EASEMENT APPURTENANT TO PARCELS NO.
1 AND 2 DESCRIBED ABOVE, FOR BALCONY PURPOSES, OVER AREAS DEFINED
AND DESCRIBED AS LIMITED COMMON ELEMENTS IN THE DECLARATION AND
AS SHOWN AND ASSIGNED ON THE MAP.

PARCEL FIVE (5): AN EXCLUSIVE EASEMENT APPURTENANT TO PARCEL NO. 1
AND NO. 2 DESCRIBED ABOVE, FOR USE FOR PARKING PURPOSES, OVER AREAS
DEFINED AS DESCRIBED AS LIMITED COMMON ELEMENTS IN THE
DECLARATION AND AS SHOWN AND ASSIGNED ON THE MAP.

APN NO: 138-16-517-087.

ORDERED, ADJUDGED AND DECREED that Movant, its successors and assigns, shall be
and are hereby authorized to enforce its rights and remedies under applicable non-bankruptcy law with
regard to the above collateral, all in accordance with the laws of the State of Nevada.

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1 ORDERED, ADJUDGED AND DECREED that the terms of this Order shall be deemed
2 effective and enforceable immediately upon its entry with no stay on its enforcement as prescribed by
3 *Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure.*
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5 ** END OF ORDER **
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